

**CALIFORNIA
BOARD OF BARBERING AND COSMETOLOGY**



**JANUARY 21, 2021
Apprenticeship Task Force**

PUBLIC TELECONFERENCE



P.O. Box 944226, Sacramento, CA 94244-2260
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Apprenticeship Task Force Meeting Agenda

Thursday, January 21, 2021

**PUBLIC TELECONFERENCE MEETING
9:00am - Until Completion of Business**

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location are provided. Public participation may be through teleconferencing as provided below.

Important Notices to the Public: The Board of Barbering and Cosmetology will hold a public meeting via a Webex Events. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:

<https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e00e77bd18ebdaa375870640fb5f5d313>

INSTRUCTIONS FOR PARTICIPATION: Please see the instructions attached hereto to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Public comments will be limited to two minutes unless, in the discretion of the Committee, circumstances require a shorter period; members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

- 1. Call to Order/Roll Call**
- 2. Executive Officer's Opening Remarks (Kristy Underwood)**
- 3. Discussion and Possible Recommendations to the Board Regarding Proposed Regulatory Changes to Apprenticeships, Title 16, California Code of Regulations (CCR) sections 913-926**
- 4. Public Comment on Items Not on the Agenda***
- 5. Suggestions for Future Agenda Items**
- 6. Adjournment**

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is being held via Webex Events. The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Marcene Melliza at (916) 575-7121, email: marcene.melliza@dca.ca.gov, or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.



MEMORANDUM

DATE January 21, 2021

TO: Apprenticeship Task Force

FROM: Kristy Underwood, Executive Officer

SUBJECT: Recommendations on Changes to the Apprentice Program

Background:

The apprenticeship program has been offered by the Board of Barbering and Cosmetology since 1992. Prior to 1992, the Barber Board had an apprentice program and the Cosmetology Board had a junior operator program. The barber union fought to maintain the apprentice program when the boards merged, so the junior operator program was eliminated and a cosmetology apprentice was established.

Apprentice programs are often utilized in construction/labor fields. For example, California offers approved apprenticeship programs in the following fields:

Agriculture	Glazier & Glass Workers	Operating Engenieer
Aspestos Worker	Health Services	Painting and Decoration
Automotive	Heating, Ventilation & AC	Plasterer
Boilermaker	Hospitality	Plumbing and Pipefitting
Bricklayer	Information Technology	Fire Sprinkler Fitter
Carpentry	Inspector/Tester	Roofer
Carpet Linoleum	Iron & Steel Worker	Sheet Metal
Cement Masons	Laborer	Sound Installer
Civil Service	Lineman	Surveyor
Drywall/Lathers	Machinist	Teamster
Electrical/Electronic	Manufacturing	Tile Layer
Elevator Mechanic	Meat Cutter	
Entertainment	Millwright	

Apprenticeships are designed and intended to allow for on-the-job training. A unique aspect of apprenticeships under the Board is the requirement for a State-issued license.

Funding and Costs

Per the Division of Apprenticeship Standards website:

Since 1970 California has funded related classroom instruction for state-registered apprenticeship programs known as Related and Supplemental Instruction (RSI) or Montoya Funds. The passage of Assembly Bill 86 (2013–14), the California Community College Chancellor’s Office (CCCCO) was authorized with the oversight, validation and disbursement of RSI funding for California Community College Districts (CCD) as well as California Department of Education (CDE)–Local Educational Agencies (LEAs) that partner with apprenticeship program sponsors.

Apprentices attend classes on the practices and theory of their trade and then apply that knowledge to the workplace, generally under the supervision of an experienced supervisor or journeymen until the apprentice masters the particular area of training. Employers are an integral part of apprenticeship programs and pay the majority of the training costs incurred to develop apprentices and make them proficient in their trade or craft. Apprentices’ placement in a trade typically takes three to five years.

Funding for apprenticeships is tied to the LEA. A program sponsor receives funds from the LEA for the related training. Related training (also referred to as related and supplemental Instruction or RSI) is required for each licensing category in the following area:

Barbering:	216 Hours
Cosmetology	220 Hours
Electrology:	220 Hours

The Board states the criteria for related training in regulation. It should be clearly noted that the related training in the above noted hours is in addition to the 3200 hours of the full program.

Section 915 of the California Code of Regulations states:

- (a) Every apprenticeship approved by the board shall consist of an on-the-job training component and a classroom component of related training.
- (b) Related training for barber apprentices must provide a minimum of 216 hours of instruction over a two year period. A minimum of 144 of those hours shall cover the theory of barbering and a maximum of 72 hours may be elective training. The 72 hours of elective training may be conducted by classroom instruction or by a seminar or by demonstrations relating to barbering. The elective training shall be verified by course completion certificates or registration records.
- (c) Related training for cosmetology, skin care, nail care or electrology apprenticeships must provide a minimum of 220 hours of classroom instruction over a two year period. These hours shall cover the following subjects:

- (1) The related training for a cosmetology apprenticeship shall cover the following subjects as they relate to cosmetology: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy and physiology, wet hair styling, thermal hair styling, permanent waving, chemical straightening, haircutting, hair coloring and bleaching, scalp and hair treatment, facials, eyebrow arching and hair removal, makeup, manicuring and pedicuring.
- (2) The related training for skin care shall cover the following subjects as they relate to skin care: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy, physiology, skin analysis and conditions, facials, eyebrow arching and hair removal, and make-up.
- (3) The related training for nail care shall cover the following subjects as they relate to nail care: cosmetology chemistry, health and safety and hazardous substances, disinfection and sanitation, bacteriology, anatomy and physiology, water and oil manicures, including hand and arm massage, complete pedicure, and application of artificial nails.
- (4) The related training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection and sanitation and sterilization, bacteriology, anatomy and physiology, electricity, electrolysis, thermolysis, and high frequency and galvanic currents.

There does not appear to be any oversight of the related training.

Staff believes that apprentices are receiving incomplete and/or inadequate Related Training for the required 216-220 hours, and that apprentices are concentrating their hours on working in the establishment for two years. As a result, the apprentice is missing out on the necessary educational component and this is evident in the low examination passing rates.

Costs

The average cost to an individual to enter an apprentice program is \$6,000-\$7,000. Program sponsors are not able to charge for the apprentice program and per the Bureau of Private Postsecondary Education, they cannot charge more than \$2,500 for the pre-apprentice training or they would be considered a school. In order to charge an individual, the "tuition" is often referred to as a charge for the 39-hour pre-apprentice training, books, kits, building fees, etc.

Program Sponsors that are connected to an LEA (the majority are) receive \$5.15 per hour per student for the related training. For a cosmetology course that equals a minimum of \$1,133 (for 220 hours) and for a barber course that equals a minimum of \$1,112 (for 216 hours). An

assumption can be made that a Program Sponsor receives a tuition from a student of \$6,000 and LEA finds of \$1,133 for a total of \$7,133 for a single cosmetology student.

Pass/Fail Rates:

Below are the pass/fail rates for 2019 apprentice applicants:

	PRACTICAL EXAM			WRITTEN EXAM		
	PASS	FAIL	PASS%	PASS	FAIL	PASS%
Barber						
English	176	157	53%	148	328	31%
Spanish	44	26	63%	32	129	20%
Vietnamese	0	1	0%	0	1	0%
Cosmetology						
English	106	57	65%	89	78	53%
Korean	1	1	50%	1	1	50%
Spanish	239	112	68%	208	397	34%
Vietnamese	2	7	22%	3	3	50%
Electrology						
English	0	2	2%	0	2	0%
TOTAL	568	363	61%	481	939	34%

As shown above, the pass rate for the written portion of the examination for the apprentice program is only 34%. In addition, the data shows that most cosmetologists who are enrolling into the apprentice program are Spanish-speaking.

On-Going Issues

Additional issues associated with the apprentice program other than the low pass rates for the exam are:

- Apprentices are often found working without supervision in establishments.
- Apprentices do not have text books.
- Apprentices are not provided information on the examination translation guide.
- The Board has no authority to prevent trainers or establishments from continuing in the apprentice program when they have been found in violation of their responsibilities.
- There is little to no enforcement by DAS
- No tracking or verification of apprentice’s progress (operations or hours).

Oversight

The Board shares dual oversight of the apprentice program with the Division of Apprenticeship Standards (DAS) which is a division under the Department of Industrial Relations.

The DAS approves apprenticeship program sponsors as does the Board. Section 7333 of the Business and Professions Code states:

The apprentice training program shall be conducted in compliance with the Shelley-Maloney Apprentice Labor Standards Act of 1939, Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code, according to apprenticeship standards approved by the administrator of apprenticeship. A copy of the act shall be maintained on file with the board.

Section 913(a) and (b) of the California Code of Regulations states:

- (a) A joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology, electrology, skin care, or nail care shall be known as apprenticeship program sponsors.
- (b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology, skin care, nail care, or electrology shall:
 - (1) Submit a written request for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The request for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.
 - (2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.
 - (3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.
 - (4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter know as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

The DAS approval of the Program Sponsor is much more extensive than what the Board approves. The DAS must approve the apprentice sponsors standards. The requirements of these standards can be found in **Attachment 1**.

Action

Board staff believes there are two options.

Option 1: Eliminate the apprenticeship program and develop a license type that allows for on-the job training as the dual oversight is not conducive to success for apprentices in this industry.

Option 2: Revise the regulations to allow for clearer understanding of what is required of trainers and owners and promulgate regulations that will allow increased oversight of a program sponsor.

Recommendation

Attachment 2 contains recommended changes should the Board choose option 2. Each numbered item is an explanation of a change that corresponds with the same number on the attachment.

1. Section 913: Clearly identify responsibility of program sponsors and remove the words skin care and nail care.

Reason: Board staff often find that there is no ongoing oversight of apprentices from the program sponsor. Often, the apprentice is left without direction from the sponsor and they are left to navigate the program alone. The Board does not have apprentice programs for skin care or nail care, so this language is irrelevant.

2. Section 913.1: Add language that clarifies the Board can take action against an approved program sponsor for the sponsor failing to maintain their responsibilities.

Reason: Staff have experienced sponsors that have not filed appropriate paperwork and are not ensuring the apprentice is being properly trained in the establishment. Staff have also received complaints from apprentices that they have not been trained. This section clarifies that the Board can take action if sponsors are not adhering to their responsibilities.

3. Section 914.1: Add a new section (b) that states the apprentice shall hold only one license in one scope at a given time.

Reason: The Board often receives applications for a single person to be licensed in both barbering and cosmetology. Each program consists of 3200 hours and 2 years, which makes it impossible to complete two separate programs simultaneously.

4. Section 914.2 (a): add a reference to a newly developed section on discontinuance.

Reason: This is for clarity on the discontinuance process.

5. Section 915: Remove references to skin and nails and create a separate section for electrology.

Reason: the Board does not have an apprenticeship program for skin or nails. Electrology should be separate as it is not part of cosmetology.

6. Section 917: Clarify what is required in the pre-apprentice training and add the health and safety course.

Reason: All apprentices are required to complete 39 hours of pre-apprentice training prior to providing services. Staff believe that what is included in this training should be clarified so a potential apprentice understands the length of the program and that it ultimately leads to qualifying for the licensure exam.

In addition, section 7389 establishes the Health and Safety Course. This information is valuable to apprentices as it provides labor law information that is valuable to an employee.

7. Section 918: Re-write this section on approved trainers.

Reason: This section regarding qualifications to be an approved trainer has been re-written to clearly define a trainer's responsibilities.

8. Section 918.1: Add a new section that clearly defines the responsibilities of a trainer.

Reason: Board staff believe that many trainers are not providing training to the apprentice and this is resulting in the apprentice being unable to pass the licensure examination.

9. Section 919: Re-write this section on approved establishments.

Reason: This section for qualifications to be an approved establishment has been re-written to clearly define an establishment license holder's responsibilities.

10. Section 919.1: Add a new section that clearly defines the responsibility of the establishment license holder.

Reason: Board staff are aware of many circumstances where an apprentice is left running an establishment on their own and providing services. This section will clarify an establishment's responsibility and hold them accountable.

11. Section 920 (a) and (b): Section (a) changes allow for technical clean-up and section (b) is created to require the program sponsor to collect and review the daily work of the apprentice.

Reason: Board staff often find that there is no verification done on the daily work that an apprentice completes as records are often unavailable. This section will now require those records be reviewed and available to the board.

12. Section 921 through 921.2: Amend these sections for technical clean-up only.

13. Section 922: amend this section to clarify that an apprentice transfer request must be submitted and note the specified information.

Reason: Staff have found little to no documentation on what an apprentice has completed when a transfer is submitted. This will help ensure the correct documentation of completed training for an apprentice.

14. Section 924: Amend this section to remove discontinuance and to clarify that this section is a requirement for what shall be included when an apprentice completes the program.

Reason: Board staff feel it is important to establish separate sections for completion and for discontinuance of the apprentice program for clarity.

15. Section 924.1: Create a section that provides the requirements of a discontinuance from the apprentice program.

Reason: Board staff feel it is important to establish separate sections for the completion and discontinuance of the apprentice program for clarity.

16. Section 925: Remove this section.

Reason: This section is now irrelevant as the information is included in the re-written section 918.

17. Section 926: Re-write section (a) for clarity.

Reason: This recommendation is for clarity only and section (a)(4) is now placed under section 924.

18. Section 927: Create new section that allows for an apprentice program credit to be valid for 3 years after completion.

Reason: An apprentice who has not been able to pass the examination but has completed the apprentice program.

California Code of Regulations Division 1, Chapter 2, Subchapter 1, Article 4, Section 212

Apprenticeship programs shall be established by written apprenticeship standards which must be approved by the Chief DAS under Section 212.2. In order to be approved, the standards must cover all work processes within the apprenticeable occupation. The standards must contain:

(a) A statement of:

(1) the occupation(s) and an outline of the work processes in which the apprentice will receive supervised work experience and training on the job, and the allocation of the approximate time to be spent in each major process;

(2) the parties to whom the standards apply, the program sponsor's labor market area, as defined by Section 215 appendix 2(l), for purposes of meeting equal employment opportunity goals in apprenticeship training and the program's geographic area of operation as defined by section 205(n);

(3) the duties of the apprentice;

(4) the apprentice's working conditions unique to the program;

(5) the progressively increasing wage, employee benefits and other compensation of the apprentice, as set by Section 208;

(6) the ratio of apprentices to journeymen, or the number of apprentices to be employed and the method used to determine the ratio whether by job site, workforce, department or plant;

(7) the local education agency which has agreed to provide the related and supplemental instruction, and a description of the courses to be provided;

(b) Provisions for:

(1) establishment of an apprenticeship committee, if applicable;

(2) administration of the standards;

(3) establishment of rules and regulations governing the program. An apprenticeship program's standards or rules may provide for a period of probation which may not be for more than the combination of 1,000 hours of employment and 72 hours of related instruction;

(4) determining the qualifications of employers if other than single employer programs and an orientation, workshop, or other educational session for employers to explain the apprenticeship program's standards and the operation of the apprenticeship program;

(5) determining the qualifications of apprentice applicants and fair and impartial treatment of applicants for apprenticeship selected through uniform selection procedures, which shall be an addendum to the standards, pursuant to Section 215;

(6) the incorporation of the provisions of the standards into the apprentice agreement either directly or by reference;

(7) a procedure to be utilized for the recording and maintenance of all records concerning apprenticeship and otherwise required by law including a system for recording the apprentice's worksite job progress and progress in related and supplemental instruction and a system for the periodic review and evaluation of the apprentice's progress in job performance and related instruction;

(8) discipline of apprentices for failure to fulfill their obligations on-the-job or in related instruction, including provisions for fair hearings;

(9) terminating, or recommending the cancellation of, apprentice agreements in accordance with section 207;

(10) recommending issuance of State Certificates of Completion of Apprenticeship pursuant to Section 224;

(11) training and supervision, both on the job and in related instruction, in first aid, safe working practices and the recognition of occupational health and safety hazards;

(12) training in the recognition of illegal discrimination and sexual harassment;

(13) approval of the standards, and revisions to the standards, by the Chief DAS;

(14) an adequate mechanism to be used for the rotation of the apprentice from work process to work process to assure the apprentice of complete training in the apprenticeable occupation including mobility between employers when essential to provide exposure and training in various work processes in the apprenticeable occupation; and an adequate mechanism that will be used to provide apprentices with reasonably continuous employment in the event of a lay-off or the inability of one employer to provide training in all work processes as outlined in the standards;

(15) the on-going evaluation of the interest and capacity of individual employers to participate in the apprenticeship program and to train apprentices on-the-job and provisions for the evaluation of on-the-job training and related and supplemental instruction;

(16) compliance with training criteria where such have been adopted pursuant to Section 212.01; and

(17) meaningful representation of the interests of apprentices in the management of the program, which is shown where:

(A) In a joint labor-management sponsored program, the apprentices participating in that program are represented by a labor organization pursuant to one of the following: National Labor Relations Act, the Railway Labor Act, the California Public Employee Relations Act, Agricultural Labor Relations Act, the Meyers-Milias Brown Act;

(B) In a program sponsored by more than one employer or an association of employers, the apprentices participating in that program are at least equally represented on an advisory panel established by the apprenticeship committee responsible for the operation of the program. The apprentices shall be represented on the advisory panel by at least three representatives of the apprentices' choice who shall have full voice and vote on the panel except as to financial matters or matters that relate to the administration or structure of an employee benefit plan or the administration or operation of a trust fund. The representatives of the apprentices shall be selected by way of a secret ballot election among the apprentices conducted by the apprenticeship program not less than once every two (2) years. This advisory panel shall meet not less than once every quarter to address issues and concerns raised by and affecting the apprentices in the program.

(c) The names and signatures of the parties.

Article 3. Apprenticeship**Title 16, Division 9, California Code of Regulations
Board of Barbering and Cosmetology****1.****913. Approval of Apprentice Training Programs**

(a) A joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology, electrology, skin care, or nail care shall be known as apprenticeship program sponsors. All approved sponsors shall:

- 1) Maintain records of all licensed apprentices which shall include:
 - A) Daily tracking of on the job Practical Operations and Practical Training.
 - B) Daily tracking of all related classroom training.
- 2) Ensure the apprentice takes and completes the required pre-apprentice training and the Board's Health and Safety Course prior to starting any On the job training.
- 3) Require all apprentices to have in their possession an approved textbook and an approved examination translation guide.
- 4) The approved program sponsor shall provide daily tracking documentation to a Board representative upon request.

(b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology, ~~skin care, nail care~~, or electrology shall:

- (1) Submit a written request for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The request for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.
- (2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.
- (3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.
- (4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter known as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

(c) An apprenticeship program sponsor shall notify the board within 10 days of any changes to the information filed with the board in accordance with subsection (b) of this section for board approval.

(d) The board shall inform every person applying for approval to act as an apprenticeship program sponsor in writing, within ten (10) days of receipt of their request for approval whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(e) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(f) The minimum, median and maximum times for processing a request for approval of an apprentice training program, from the time of receipt of the application until the Board of Barber Examiners decided to issue the approval based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code. Reference: Section 7333, Business and Professions Code; Sections 3070 and 3078, Labor Code and Section 15376, Government Code.

2.

913.1 Withdrawal of Approval: Apprenticeship Program Sponsor

(a) The board may withdraw or otherwise limit its approval of an apprenticeship program sponsor who is not conducting its apprenticeship program in compliance with the provisions of the laws and regulations of the Barbering and Cosmetology Act (Business and Professions Code sections 7301 et seq.), **who is not following the Standards approved by the Division of Apprenticeship Standards or who fails to maintain their responsibilities as a program sponsor or who fails to adhere to regulations as outlined in this chapter.**

(b) (1) A proceeding to withdraw or limit the board's approval of an apprenticeship program sponsor shall be initiated by serving the apprenticeship program sponsor with a notice to show cause. The notice to show cause shall be in writing, shall describe with particularity the nature of the violations, including specific reference to the provisions of law or regulations determined to be violated, and shall contain a proposed order to withdraw or limit the board's approval of the apprenticeship program sponsor.

(2) Where appropriate, a notice to show cause may contain an order of abatement fixing a reasonable time for the abatement of the violations. Where a program sponsor complies with the order of abatement within the time specified, the board shall withdraw its notice to show cause.

(3) In fixing the disciplinary order or order of abatement for a notice to show cause, the board shall give due consideration to the appropriateness of the order with respect to such factors as the gravity of the violations, its impact upon the apprentices participating in the apprenticeship program sponsor's apprenticeship program, its impact on the public, the good faith of the apprenticeship program sponsor, and the history of previous violations.

(c) A notice to show cause shall inform the apprenticeship program sponsor that if it desires a hearing to contest any portion of the notice to show cause, a hearing shall be requested by written notice to the board's executive officer within 30 days of the date of service of the notice to show cause. If a hearing is not requested pursuant to this subsection, the order contained in the notice to show cause shall go into effect on the date specified in the notice to show cause.

(d) A hearing to contest a notice to show cause shall be conducted within 60 days of the board's receipt of the program sponsor's written request for a hearing. Such a hearing shall be before a committee selected by the board. At the conclusion of the hearing, the committee shall prepare or have prepared a written decision of its findings, determinations and order. Such a decision shall be mailed to the program sponsor within 45 days after the conclusion of the hearing.

NOTE: Authority cited: Section 7312, Business and Professions. Reference: Section 7333, Business and Professions Code

914. Filing of Apprenticeship Application; Processing Time

(a) A prospective apprentice must file with the board an application for apprenticeship. Application shall be made on Form 35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94.

(b) The board shall inform every person applying for licensure as an apprentice, in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(c) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(d) The minimum, median and maximum times for processing an application for licensure as an apprentice, from the time of receipt of the application until the Board of Barber Examiners decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code. Reference: Section 7334, Business and Professions Code; and Section 15376, Government Code.

3.

914.1 Filing of Apprenticeship Application; Eligibility

(a) If an applicant for an apprentice license has previously applied for and qualified for the licensing examination in a particular discipline, the applicant is ineligible to apply for the apprenticeship program in the same discipline.

(b) An apprentice shall hold only one license in one scope of practice at a given time.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

4.

914.2 Filing of Apprenticeship Application; Re-enrollments

(a) The term of an apprenticeship is 2 years. If at any time the apprentice discontinues enrollment in the apprenticeship program, the Board shall be notified by the apprentice program sponsor within 10 days of the ~~dis-enrollment~~ discontinuance **pursuant to section 924.1**.

(b) If after the 2-year period the apprentice has not completed the required 3,200 hours and Related Training, and the Board has been notified of the cancellation of enrollment, and the apprentice license has been surrendered to the Board as required by section 923 of this article, the applicant may re-enroll once to complete the program. After 2 enrollments into the apprenticeship program the applicant is no longer eligible to participate in the program.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

5.

915. Related Training

(a) Every apprenticeship approved by the board shall consist of an on the job training component and a classroom component of Related Training.

(b) Related Training for barber apprentices must provide a minimum of 216 hours of **classroom** instruction over a two year period. ~~A minimum of 144 of these hours shall cover the theory of barbering and a maximum of 72 hours may be elective training. The 72 hours of elective training may be conducted by classroom instruction or by a seminar or by demonstrations relating to barbering. The elective training shall be verified by course completion certificates or registration records.~~ These hours shall cover the following topics:

(c) Related Training for cosmetology, ~~skin care, nail care or electrology~~ apprenticeships must provide a minimum of 220 hours of classroom instruction over a two-year period. These hours shall cover the following subjects:

(1) The Related Training for a cosmetology apprenticeship shall cover the following subjects as they relate to cosmetology: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy and

physiology, wet hair styling, thermal hair styling, permanent waving, chemical straightening, haircutting, hair coloring and bleaching, scalp and hair treatment, facials, eyebrow arching and hair removal, makeup, manicuring and pedicuring.

~~(2) The related training for skin care shall cover the following subjects as they relate to skin care: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy, physiology, skin analysis and conditions, facials, eyebrow arching and hair removal, and make-up.~~

~~(3) The related training for nail care shall cover the following subjects as they relate to nail care: cosmetology chemistry, health and safety and hazardous substances, disinfection and sanitation, bacteriology, anatomy and physiology, water and oil manicures, including hand and arm massage, complete pedicure, and application of artificial nails.~~

~~(4) The related training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection and sanitation and sterilization, bacteriology, anatomy and physiology, electricity, electrolysis, thermolysis, and high frequency and galvanic currents.~~

(d) Related Training for electrology apprentices must provide a minimum of 220 hours of classroom instruction over a 2-year period. These hours shall cover the following subjects:

(1) The Related Training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection, sanitation, sterilization, bacteriology, anatomy, physiology, electricity, electrolysis, thermolysis, high frequency and galvanic currents.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

916. Training Hours and Schedule

(a) The two years referred to in Section 7335 of the Business and Professions Code means a minimum of thirty-two hundred (3,200) hours of apprenticeship. Full-time apprenticeship means employment and training in an approved program for at least 32 hours per week. No more than eight and one-half hours credit will be allowed for any one work day nor will credit be allowed for more than five days in one week. The maximum training hours shall not exceed 42-1/2 hours per week.

(b) The two year apprenticeship program begins with the issuance of an apprenticeship license by the board.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334, and 7345, Business and Professions Code.

6.

917. Pre-apprentice Training and Health and Safety Course Prior to Serving the Public

(a) The minimum hours of pre-apprentice training referred to in Section 7334 of the Business and Professions Code shall be thirty-nine (39) hours of instruction **in the following areas:** ~~laws and regulations of the board, basic patron protection and sanitation and disinfection procedures. An~~

~~applicant for licensure as an apprentice shall complete the pre-apprenticeship training prior to being licensed as an apprentice.~~

- 1) ~~Disinfection and Sanitation including but not limited to, proper procedures to protect the health and safety of consumers as well as the licensee, proper disinfection procedures for equipment used in establishments.~~
- 2) ~~Laws and Regulations of the Board which shall include a review of the Barbering and Cosmetology Act and the Board's Regulations with special emphasis on Article 12 Health and Safety.~~

~~(b) All apprentices shall complete the Boards Health and Safety Course described in Business and Professions Code section 7389 prior to any on the job training and prior to servicing the public.~~

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

7.

~~§ 918. Apprentice Trainers~~

~~a) No licensee shall train an apprentice unless his or her license includes the scope of practice of the apprentice's license.~~

~~b) A licensee is allowed to have under his or her supervision a maximum of two apprentices at any given time.~~

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332 and 7336, Business and Professions Code.

918. Board Approved Apprentice Trainers

A licensee who wishes to train an apprentice shall obtain Board approval before employing or training an apprentice. An application for Approval to Train shall be made on a form provided by the Board.

a) Qualifications for apprentice trainer approval

(1) Licensee shall possess a current, valid license issued by the Board.

(2) Licensee shall have no disciplinary actions pending against him/her nor be on probation resulting from past disciplinary action within the two year period immediately preceding his/her application to serve as apprentice trainer.

(3) Licensee is not subject to denial pursuant to Section 480.

(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(5) The licensee may only train an apprentice whose apprentice license is in the same discipline as the trainer's license.

(6) A licensee may only have a maximum of 2 apprentices approved to be under his/her supervision at any time.

(7) The licensee who is approved to train must have held their license in good standing for three years prior to becoming an apprentice trainer.

8.

918.1 Trainer Responsibilities

A licensee that has been approved by the Board to train an apprentice shall have the following responsibilities:

1. Maintain daily records on a form prescribed by the Board of the training that the apprentice received.
2. Provide Practical Training to the licensed apprentice.
3. Ensure the apprentice is supervised at all times.
4. Ensure the apprentice's licenses is visibly displayed at the station where the apprentice is performing services.
5. Ensure the apprentice is not working more than 40-hours a week.
6. Ensure the apprentice is never in the establishment alone.
7. Ensures that no training shall begin until the Board has issued an apprentice license.
8. Ensure that the apprentice has completed the pre-apprentice training and the Board's Health and Safety Course prior to servicing the public.

9.

919. Board Approved Trainers and Establishments

~~(a) A licensee who wishes to train an apprentice shall obtain board approval before employing or training an apprentice. An establishment wishing to train an apprentice in multiple location establishments which are under common ownership may request to participate in multiple location training. Common ownership includes corporate chains, individually owned multiple establishments, and franchise groups or partnerships. Application for approval of trainers and establishments shall be made on a form provided by the board (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Rev. 5/94).~~

~~(1) Establishments participating in training an apprentice in multiple locations under common ownership shall provide as part of the application process, a list of the establishment names, locations, board issued license numbers, names of officers and or owners.~~

~~(b) Qualifications for apprentice trainer approval:~~

~~(1) Licensee shall possess a current, valid license issued by the board.~~

~~(2) Licensee shall have no disciplinary actions pending against him/her nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding his or her application to serve as an apprentice trainer.~~

~~(3) Licensee is not subject to denial pursuant to Section 480.~~

~~(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.~~

~~(c) No apprentice shall work or train in an establishment until it has been approved by the board. Application for establishment approval shall be made on the same form specified in subdivision (a).~~

~~(d) Qualifications for establishment approval are:~~

~~(1) Establishment shall possess a current, valid license issued by the board.~~

~~(2) Establishment shall have no disciplinary actions pending against it nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding its application for establishment approval.~~

~~(3) Is not subject to denial pursuant to Section 480.~~

~~(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.~~

~~(5) If the establishment is participating to train an apprentice in multiple locations under common ownership, there shall be an agreement between the establishments to employ the apprentice.~~

~~(e) The board shall inform every person applying for approval to act as an apprentice trainer or an apprentice establishment in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.~~

~~(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.~~

~~(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.~~

~~(f) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.~~

~~(g) The minimum, median and maximum times for processing a request for approval, from the time of receipt of the application until the Board of Barbering and Cosmetology decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:~~

~~(1) Minimum: 1 day~~

~~(2) Median: 15 days~~

~~(3) Maximum: 48 days~~

919. Board Approved Establishments

An establishment owner that wishes to employ an apprentice shall obtain Board approval prior to employing an apprentice. An application for approval shall be completed and attached to an apprentice license application. A new application for establishment approval shall be submitted for all new apprentice applications.

(a) Qualifications for apprentice establishment approval:

(1) Establishment shall possess a current, valid establishment license issued by the Board.

(2) Establishment shall have no disciplinary actions pending against it or be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding the application for apprentice establishment approval.

(3) Is not subject to denial pursuant of Section 480

(4) The establishment licensee had no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(5) The establishment shall offer all the services within the scope of the apprentice's license.

(6) The apprentice may not hold ownership in the establishment where they are seeking approval for.

(b) An establishment wishing to train an apprentice in multiple locations which are under common ownership may request to participate in multiple location training. Common ownership includes corporate chains, individually owned multiple establishments, and franchise groups or partnerships. Application for approval to train apprentices in multiple locations shall be on a form provided by the Board.

(1) Establishments participating in training an apprentice in multiple locations under common ownership shall provide, as part of the application process, a list of the establishment names, locations, board issued license numbers, and names of officers and/or owners.

10.

919.1 Board Approved Establishment Responsibilities

1. Ensure the apprentice has a designated station and all required supplies to complete services in the licensed scope of practice. For cosmetology apprentices this includes, but is not limited to, a hair stations, facial station and a manicuring station.
2. Ensure that the apprentice is receiving training from the approved training.
3. Ensure the apprentice is supervised at all times by their approved trainer.
4. Ensure the apprentice's licenses is visibly displayed at the station where the apprentice is performing services.
5. Ensure the apprentice is not working more than 40-hours a week.
6. Ensure the apprentice is never in the establishment alone.
7. Ensures that no training shall begin until the Board has issued an apprentice license.
8. Ensure that the apprentice has completed the pre-apprentice training and the Board's Health and Safety Course prior to servicing the public.
9. Ensure compliance with sections a, b, c, d and e of section 3078 of the Labor Code.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333, 7334 and 7336, Business and Professions Code.

11.

920. Record of Apprentice Training

(a) The apprentice trainer shall present a copy of apprentice daily work records to the board or its representatives upon demand. These work records shall include the name of the apprentice employed, the dates the apprentice worked, the number of **Practical Training** hours ~~worked~~ **earned** and the ~~work processes~~ **Practical Operations** performed on those dates, and the trainer's name.

(b) Apprentice program sponsors shall collect the apprentice daily work records which are signed by the trainer and the apprentice monthly. The apprentice program sponsor will evaluate the apprentice daily work records to validate the current Practical Training hours and Practical Operations and maintain a copy of these records in the apprentice file at the program headquarters. The Apprentice program sponsor shall make all records available to a Board representative upon request.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

12.

921. Curriculum for Barber Apprentice Course

a) The curriculum for an apprentice enrolled in a barbering apprenticeship course shall consist of thirty-two hundred (3200) hours of ~~technical instruction and Practical training covering all practices~~ **Practical Operations and Practical Training** of a barber pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical Training shall mean the time it takes to perform a Practical Operation. ~~Technical instruction and~~ **Practical Training** shall include the following hours:

(1) 2800 Hours of ~~Technical Instruction and~~ Practical Training in Hair Dressing

The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of ~~technical instruction~~ **Practical Training** and Practical Operations for each subject-matter as follows:

Hairstyling (95 hours of ~~Technical Instruction~~ **Practical Training** and 450 Practical Operations):

The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs and hot curling irons and blower styling.

Permanent Waving and Chemical Straightening (40 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations):

The subject of Permanent Waving and Chemical Straightening shall Include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.

Hair Coloring and Bleaching (65 hours of ~~Technical Instruction~~ **Practical Training** and 50 Practical Operations):

The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers.

Hair Cutting (20 hour of ~~Technical Instruction~~ **Practical Training** and 300 Practical Operations):

The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.

(2) 200 Hours of ~~Technical Instruction~~ **Practical Training** and Practical Operations in Shaving

The required subjects of instruction in Shaving shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Preparation and Performance (100 hours of ~~Technical Instruction~~ **Practical Training** and 40 Practical Operations)

The subject of Preparation and Performance shall include, but is not limited to the following techniques and procedures: Preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying after-shave antiseptic following facial services, massaging the client's face and rolling cream massages.

(3) 200 Hours of ~~Technical Instruction~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of ~~technical instruction~~ **Practical Training** for each subject-matter as follows:

Laws and Regulations (20 hours of ~~Technical Instruction~~ **Practical Training**)

The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 hours of ~~Technical Instruction~~ **Practical Training**)

Health and Safety/hazardous substances including training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, bacteriology and preventing communicable diseases including HIV/AIDS and Hepatitis B.

Disinfection and Sanitation (20 hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician, and proper disinfection procedures for equipment used in establishments.

Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.

Anatomy and Physiology (15 hours of ~~Technical Instruction~~ Practical Training)

The subjects of Anatomy and Physiology shall include, but is not limited to the following issues:
Human Anatomy, Human Physiology.

(c) The Board recommends that schools apprentice program sponsors provide training in the area of communication skills that includes professional ethics, salesmanship, client record-keeping, decorum, and basic tax information relating to booth renters, independent contractors, employees, and employers.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(a), 7321.5(d) (2), 7362(b), 7362.5(a) and 7389, Business and Professions Code; and Section 3078, Labor Code.

921.1 Curriculum for Cosmetology Apprenticeship Course

(a) The curriculum for an apprentice enrolled in a cosmetology apprenticeship course shall consist of thirty-two hundred (3,200) hours of ~~technical instruction and Practical training~~ Practical Operations and Practical Training covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical Training shall mean the time it takes to perform a Practical Operation. ~~Technical instruction and~~ Practical Training and Practical Operations shall include the following hours:

(1) 2600 Hours of ~~Technical Instruction and~~ Practical Training in Hair Dressing

The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of ~~technical instruction~~ Practical Training and Practical Operations for each subject-matter as follows:

Hairstyling (95 hours of ~~Technical Instruction~~ Practical Training and 450 Practical Operations):

The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs and hot curling irons, and blower styling.

Permanent Waving and Chemical Straightening (40 hours of ~~Technical Instruction~~ Practical Training and 210 Practical Operations):

The subject of Permanent Waving and Chemical Straightening shall Include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.

Hair Coloring and Bleaching (65 hours ~~Technical Instruction~~ Practical Training and 215 Practical Operations):

The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers

Hair Cutting (20 hour ~~Technical Instruction~~ **Practical Training** and 300 Practical Operations):

The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.

(2) 200 Hours of ~~Technical~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject-matter as follows:

Laws and Regulations (20 Hours of ~~Technical Instruction~~ **Practical Training**):

The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 Hours of ~~Technical Instruction~~ **Practical Training**):

The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Cosmetology chemistry including the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Elementary chemical makeup, chemical skin peels, and chemical and physical changes of matter. Hazardous substances including training in chemicals and health in establishments, protection from hazardous chemicals and preventing chemical injuries, ergonomics, theory of electricity in cosmetology, bacteriology, communicable diseases, including HIV/AIDS, Hepatitis B, and staph and Material Safety Data Sheets.

Disinfection and Sanitation (20 Hours of ~~Technical Instruction~~ **Practical Training**):

The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures for equipment used in establishments.

Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.

Anatomy and Physiology (15 Hours of ~~Technical Instruction~~ **Practical Training**):

The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology.

(3) 200 Hours of and Practical Training in Esthetics

The required subjects of instruction in Esthetics shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Manual, Electrical and Chemical Facials (25 Hours of ~~Technical Instruction~~ **Practical Training** and 65 Practical Operations):

The subject of manual, electrical and chemical facials shall include, but is not limited to the following techniques and procedures: Manual Facials including cleansing, scientific manipulations, packs, and masks. Electrical Facials include the use of electrical modalities, dermal lights and electrical apparatus for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles

of the body or face. Chemical Facials include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All Practical Operations must be performed in accordance with Section 992 regarding skin exfoliation.

Eyebrow Beautification and Make-up (25 hours ~~Technical Instruction~~ **Practical Training** and 55 Practical Operations):

The subject of Eyebrow Beautification shall include, but is not limited to the following issues: Eyebrow Arching and Hair Removal, including the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.

The subject of Makeup shall include, but is not limited to, the following issues: skin analysis, complete and corrective makeup, lash and brow tinting, and the application of false eyelashes.

(4) 200 Hours of ~~Technical Instruction~~ and Practical Training in Manicuring and Pedicuring

The required subjects of instruction in Manicuring and Pedicuring shall be completed with the minimum hours of ~~technical instruction~~ **Practical Training** and Practical Operation for each subject-matter as follows:

Manicuring and Pedicuring (10 hours ~~Technical Instruction~~ **Practical Training** and 34 Practical Operations):

The subject of Manicuring and Pedicuring shall include, but are not limited to, the following issues: Water and oil manicure, including nail analysis, and hand/foot and arm/ankle massage.

Artificial Nails and Wraps (25 hours ~~Technical Instruction~~ **Practical Training** and 120 (nails) Practical Operations):

Artificial nails including acrylic: liquid and powder brush-ons, artificial nail tips, and nail wraps and repairs.

(c) The Board recommends that ~~schools~~ **apprentice program sponsors** provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service records.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(b), 7321(d) (5), 7362(b), 7362.5(b) and 7389, Business and Professions Code; and Section 3078, Labor Code.

921.2. Curriculum for Electrolysis Apprenticeship Course

(a) The curriculum for an apprentice enrolled in an electrology apprenticeship course shall consist of thirty-two hundred (3200) hours of ~~technical instruction~~ **Practical Operations** and Practical Training covering all practices constituting the art of electrology pursuant to section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person. Practical Training shall

mean the time it takes to perform a Practical Operation. ~~Technical Instruction~~ **Practical Operations** and Practical Training shall include the following hours:

(1) 400 Hours of ~~Technical Instruction~~ and Practical Training in Electrolysis, Thermolysis, Blend/Dual Modality and Electricity

The required subjects of instruction in electrolysis, thermolysis, blend/dual modality and electricity shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Electrolysis (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Electrolysis shall include the study of epilation using single and multiple-needle insertion techniques, the use of galvanic current, skin reactions and anaphoresis and cataphoresis, and evaluating a client's health history for compatibility with electrolysis treatments.

Thermolysis (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Thermolysis shall include the study of epilation using automatic and manual thermolysis equipment, insertion techniques, the use of high frequency current in both high and low intensities, skin reactions, and evaluating a client's health history for compatibility with thermolysis treatments.

Blend/Dual Modality (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Blend/Dual Modality shall include the study of epilation using a combination of high frequency and galvanic currents, insertion techniques, skin reactions and anaphoresis and cataphoresis, and evaluating a client's health history for compatibility with Blend/Dual Modality treatments.

Electricity (15 hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Electricity shall include the nature of electrical current; principles of operating electrical devices; various safety precautions to be applied when operating electrical equipment, and proper maintenance of equipment.

(2) 200 Hours of ~~Technical Instruction~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject-matter as follows:

Laws and Regulations (20 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Health and Safety shall include, but is not limited to, bacteriology, and HIV/AIDS, hepatitis, herpes, staphylococcal infections and other communicable diseases and their prevention, ergonomics, electrical safety, and material safety data sheets.

Sterilization (25 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Sterilization shall include, but is not limited to, the study of proper procedures and techniques for protecting the health and safety of the consumer as well as the technician, and sanitizing equipment used in establishments.

Sterilization and sanitation shall be emphasized throughout the entire training period and must be performed on all instruments and equipment before use. Sterilization times and dates should be monitored and recorded.

Anatomy and Physiology (25 Hours of ~~Technical Instruction~~ Practical Training)

The subjects of Anatomy and Physiology shall include but is not limited to human anatomy and physiology, dermatology and the analysis of skin and hair, and the study of the circulatory, nervous, and endocrine systems.

(c) The Board recommends that ~~schools~~ **apprentice program sponsors** provide training in the area of communication skills that includes professional ethics, consultation, pre- and post-treatment care, salesmanship, decorum, record keeping, client service records, business skills, and basic tax information relating to independent contractors, employees and employers.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(f), 7330(d)(3), 7362(b), 7366 and 7389, Business and Professions Code; and Section 3078, Labor Code.

13.

922. Transfers

An apprentice may request from the program sponsor, a transfer from one approved ~~related training class to another or from one approved~~ establishment and trainer to another. The apprentice and the program sponsor shall notify the board within five days of any transfer by submitting an Apprentice Establishment Transfer Request which includes the apprentice's current number of earned Practical Training hours and the number of Practical Operations completed at the time of transfer.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7336, Business and Professions Code.

923. Surrender of License

Apprentices who successfully pass the licensing examination or terminate their enrollment in the apprentice training program or whose apprentice enrollment expires shall return to the board any apprentice license and identification photograph previously issued to them.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7335, Business and Professions Code.

14.

924 Completion of Apprenticeship Training Program

- (a) Upon successful completion ~~or discontinuance~~ of an apprenticeship program, the apprenticeship program sponsor shall issue to the apprentice, and to the Board a Certificate of Apprenticeship Completion ~~or discontinuance~~. The Certificate of Apprenticeship Completion ~~or discontinuance~~ shall be signed by the ~~instructor~~ trainer, the apprentice and the apprenticeship program sponsor. The Certificate of Apprenticeship Completion shall be on a form provided by the Board.
- (b) The Certificate of Apprenticeship Completion ~~or discontinuance~~ shall be a document prepared by the program sponsor that contains all of the following:
- (1) Course title.
 - (2) The apprentice's name, address, telephone number and date of birth.
 - (3) The apprentice license number and social security number.
 - (4) The program sponsor name and sponsor code issued by the board.
 - (5) The total number of Related Training hours completed.
 - (6) The date the apprentice training was completed ~~or discontinued~~.
 - (7) The total number of hours of ~~on-the-job training~~ Practical Training and Practical Operations the apprentice has completed designated by subject matter.
 - (8) Any training received in a prior board-approved apprenticeship program.
 - (9) A statement confirming that the apprentice has ~~or has not~~ met the course curriculum requirements.
 - (10) A statement, dated and signed under penalty of perjury that all the information on the document is true and correct. The statement shall be worded as follows:
"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct."
- (c) Apprentices shall submit the certificate of apprenticeship completion and all other qualifying documents with their application to take the licensing examination.
- (d) Upon completion of the thirty-two hundred (3,200) hour apprenticeship training course, a valid Certificate of Completion or Discontinuance for each enrollment period must accompany the application for examination.

15.

924.1 Discontinuance of Apprenticeship Training Program

- (a) Upon discontinuance of the apprenticeship program, the apprentice program sponsor shall issue to the apprentice and the Board a Certificate of Apprenticeship Discontinuance. The Certificate of Apprenticeship Discontinuance shall be signed by the trainer, the apprentice and the program sponsor and shall be a form provided by the Board.
- (b) The Certificate of Apprenticeship Discontinuance shall be a document prepared by the program sponsor that contains all of the following:

- (1) Course title.
- (2) The apprentice's name, address, telephone number and date of birth.
- (3) The apprentice license number and social security number.
- (4) The program sponsor name and sponsor code issued by the board.
- (5) The total number of Related Training hours completed.
- (6) The date the apprentice training was ~~completed~~ or discontinued.
- (7) The total number of hours of ~~on-the-job training~~ **Practical Training and Practical Operations** the apprentice has completed designated by subject matter.
- (8) Any training received in a prior board-approved apprenticeship program.
- (9) A statement confirming that the apprentice ~~has~~ or has not met the course curriculum requirements.
- (10) A statement, dated and signed under penalty of perjury that all the information on the document is true and correct. The statement shall be worded as follows:
"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7324, 7326, 7330, 7333 and 7337, Business and Professions Code.

16.

925. Statement of Trainer Responsibilities

~~The owner of the establishment where the apprenticeship is being conducted shall inform, in writing, an employee who is an apprentice trainer of the employee's responsibilities as a trainer. The statement of trainer responsibilities shall include, but not be limited to, those provisions specified in subdivisions (a), (b), (c), (d) and (e) of Section 3078 of the Labor Code. The statement of trainer responsibilities shall be signed by the establishment owner and the apprentice trainer and maintained on the premises of the establishment. The statement of trainer responsibilities shall be presented to the board or its representative upon request.~~

~~Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333 and 7336, Business and Professions Code.~~

17.

926. Apprenticeship Credit for Prior Training

- (a) ~~An apprentice who desires to establish eligibility for examination pursuant to Sections 7321 through 7330 of the Business and Professions Code for a license in this state based in part on training received in a prior California apprenticeship program shall furnish proof of his or her qualifications as follows:~~
 - (a) An apprentice who wishes to apply previously earned hours and Operations received in a prior California based apprenticeship program to complete the requirements under a new apprenticeship program shall furnish proof of his or her qualifications as follows:

(1) The prior training must have taken place in an apprenticeship program approved by the board.

(2) The prior training must have taken place within three years immediately preceding re-enrollment in an apprenticeship program approved by the board.

(3) A valid Certificate of Completion or Discontinuance signed by the apprentice, trainer, school representative and program sponsor must be presented to the enrolling program sponsor before prior credit can be granted.

~~(4) Upon completion of the thirty-two hundred (3,200) hour apprenticeship training course, a valid Certificate of Completion or Discontinuance for each enrollment period must accompany the application for examination.~~

(b) An apprentice must leave the approved program in good standing to obtain credit for the training received. Good standing is defined as:

(1) Has not been terminated from employment for inappropriate activity.

(2) Has returned the apprentice license to the program sponsor for forwarding to the board.

(3) Has attended related and supplemental training classes pursuant to section 915 CCR.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334 and 7345 Business and Professions Code.

18.

927. Apprenticeship Eligibility for Examination

(a) Upon Completion of the apprentice program, apprentice hours will remain valid for 3 years. The apprentice may present a Certificate of Completion with an Application for Examination within 3 years of the date of completion to be evaluated for exam eligibility.